

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23- 60048-CR-DIMITROULEAS/AUGUSTIN-BIRCH

UNITED STATES OF AMERICA

vs.

REGINE SHARLINDA LEMAIRE

Defendant.

/

**STIPULATED STATEMENT OF FACTS IN SUPPORT OF PLEA AGREEMENT**

If this case were to proceed to trial, the government would prove beyond a reasonable doubt that Regine Sharlinda Lemaire (here-in-after "LEMAIRE") committed the offense of Theft of Government Property in violation of Title 18, United States Code, Section 641. This is based on LEMAIRE'S fraudulent receipt of Social Security benefits belonging to her Mother, Marie A. Mathieu who died in Haiti on August 5, 2020

Marie A. Mathieu had received SSA direct deposits payments into her bank account ending in 4703 at Bank of America. When Mathieu died in Haiti on August 5, 2020, SSA was not notified and the SSA benefits continued to be direct deposited into her account at Bank of America. A total of \$32,825.40 in Social Security Benefits were fraudulently obtained by LEMAIRE after Mathieu's death. The indictment charges 23 counts of Theft of Government Property beginning in September 3,2020 (Count 1) and continuing to July 1,2022 (Count 23) with each count representing the SSA monthly direct deposit into Mathieu's account and accessed by LEMAIRE.

This investigation was initiated when the SSA Office of Inspectors General (OIG) received information that SSA recipient Marie A. Mathieu had died in Haiti on August 5,2020 yet her SSA benefits had continued to be deposited into her bank account at Bank of America and accessed by someone. SSA suspended Mathieu's benefits pending the investigation.

A federal grand jury subpoena was served upon Bank of America for Marie Mathieu's bank account records that SSA had direct deposited the benefits into. Bank records and Accurant inquiry indicated that LEMAIRE was the daughter of Marie A. Mathieu and that LEMAIRE had been accessing the bank account.

In October 2022, SSA OIG S/A Krystle Kerr-Vasquez, who was investigating the case, left her business card at LEMAIRE's residence.

On November 1, 2022, LEMAIRE contacted S/A Vasquez and advised that her mother, Marie Mathieu, had died in Haiti on August 5, 2020. LEMAIRE further advised that she (LEMAIRE) had accessed the account and had used her mother's SSA benefits to pay some bills. S/A Krystle Kerr- Vasquez requested an in person meeting and a copy of the Haitian Death Certificate,

On November 22, 2022, LEMAIRE voluntarily met with SSA OIG S/As Krystle Kerr- Vasquez and Mervyn Miller at the Dunkin Donuts in Hallandale Beach, Florida. LEMAIRE was accompanied by her husband, James Loiseau. LEMAIRE was advised that the interview would be audio recorded to which she agreed. LEMAIRE was then advised that over \$32,000 was direct deposited into her mother's bank account by SSA after her mother's death and that all of the money had been removed from the account. LEMAIRE advised that she knew her mother's account password and had accessed the bank account before and after her mother's death. LEMAIRE advised that she used the money for her own benefit. LEMAIRE further advised that she knew it was wrong and that she is willing to make restitution and cooperate in any way possible. LEMAIRE provided a copy of the Haitian Death Registration Form showing Marie Mathieu's date of death as August 5, 2020.

The government has provided Bank of America records for the account ending in 4703 in the name of Marie A. Mathieu. These records show all of the deposits from SSA Treasury into the bank account after Marie's death on August 5, 2020 and the subsequent withdrawal of funds from the account by LEMAIRE using ZELLE.

The government has provided a Certified copy of Social Security Administration records reflecting a total of \$32,825.40 deposited into the Bank of America account ending in 1199 for Marie A. Mathieu from September 3, 2020 to July 1, 2022.

The government has provided a November 22, 2022, consensually recorded interview where LEMAIRE admits to SSA OIG Agents accessing her mother's bank account and using the money for her own personal expenses.

Date:

4/28/2023

Date:

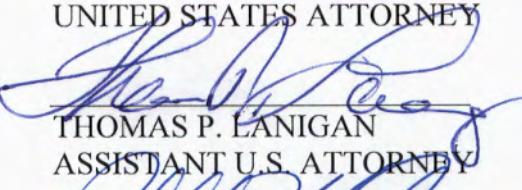
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MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

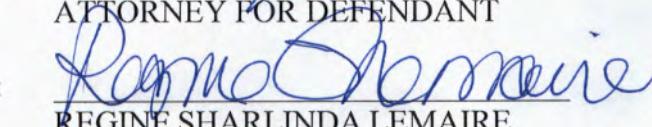
By:

  
THOMAS P. LANIGAN  
ASSISTANT U.S. ATTORNEY

By:

  
PHILLIP HOROWITZ  
ATTORNEY FOR DEFENDANT

By:

  
REGINE SHARLINDA LEMAIRE  
DEFENDANT